

UI Support & Customer Service
 TEXAS WORKFORCE COMMISSION
 PO BOX 370040
 EL PASO TX 79937-0040

DETERMINATION ON PAYMENT OF UNEMPLOYMENT BENEFITS

Date Mailed: October 8, 2021

JESUS DUARTE
 4937 GRAPELAND DR
 EL PASO TX 79924

Social Security Number: [REDACTED]
 Employer: PROPETRO SERVICES IN
 As:
 Employer Account No: 10-282583-7
 All dates are shown in
 month-day-year order.

Decision

Issue: Overpayment

Decision: You have been overpaid benefits paid under the CARES Act.

Reason for Decision: It has been determined that you have been overpaid benefits.

Total Overpayment Established by this Decision: 20319.00

Law Reference: Public Law 116-136, Title II, Section 2102(h) and 20 C.F.R. Section 625.14, 2104(f), 2015(f), and 2107(e); Texas Labor Code Section 212.006 and 214.002; 40 T.A.C. Section 815.12 and Ch.815, Subchapter G.

Understanding your Decision

If you receive a decision that says, "we cannot pay you benefits," it means there is a problem with your claim EVEN IF you have received other decisions for the same period that say, "we can pay you benefits." If even one decision for the same period says we cannot pay, you will not receive an unemployment payment for that period.

To resolve issues on decisions you receive:

1. Follow instructions on the notice(s); call the Tele-Center at 800-939-6631 if you have questions;
 2. If the instructions tell you to "Report," call the Tele-Center at once;
 3. If you disagree with a decision, file an appeal. Appeal each decision separately by the appeal deadline. If you fax your appeal, keep a confirmation sheet.
- Your employer can appeal TWC's decision to pay benefits. TWC will notify you of any appeal hearing. If you do not participate, you may lose your benefits and have to repay benefits you received.

Determination of Potential Chargeback for the Employer

If You Disagree with this Decision

If you disagree with this decision, you may appeal. Submit your appeal by mail, fax, online, or in person at any Texas Workforce Solutions office, on or before 10-22-21.

TWC will use the postmark date, or the date we receive the fax or online form, to determine whether you submitted your appeal on time. If you appeal by fax, you should keep your fax confirmation as proof you sent it. Please include a copy of this determination notice with your appeals correspondence.

If you receive multiple determination notices, you must appeal each determination separately.

Mail the appeal to:

Appeal Tribunal

Texas Workforce Commission

101 E. 15th Street

Austin, TX 78778-0002

Or fax to (512) 475-1135

You may appeal by submitting
 TWC's online appeal form. Go to
www.texasworkforce.org/ui/appeal

Case No.:	8
Claim ID.:	PEUC01
Claim Date:	09-27-20
HEARING IMPAIRED CLIENTS CALL 711 for RELAY TEXAS	

Please See Reverse For How To File An Appeal.

How to Request an Appeal

Submit your appeal by mail, fax, in person at any Texas Workforce Solutions office, or online at www.texasworkforce.org/uiappeal. Mail or fax your signed letter to the TWC Appeals Department at the address or fax number on the front of this form. You must submit your appeal within **14 calendar days of the date** we mailed you this letter. The deadline is on the front of this form.

You MUST request payment every two weeks, unless you return to full-time work. If the appeal is in your favor, we can pay you **only** for the weeks you requested payment and met all other eligibility requirements.

- If you **mail** your appeal, it must be **postmarked** on or before the deadline.
- If you submit your appeal online or by fax, TWC must **receive** it on or before the deadline. Print and keep the confirmation page as proof you sent it.

Include in your appeal letter:

- Your name, address, Social Security number (SSN).
- The date TWC mailed you the decision you want to appeal.
- Your request for translators, if needed, and the language you require.
- Your request for special services, if needed, such as an interpreter for the hearing-impaired.

IMPORTANT: If you miss the appeal deadline, your appeal letter **must** explain in detail why you submitted it late. If TWC decides **not** to hear the case because you appealed late, we will mail you a decision that you may appeal.

Appeal Tribunal Hearing

The first appeal level is a telephone hearing with the Appeal Tribunal (AT). The AT hearing consists of oral statements given under oath. **Legal representation is optional** - someone can represent you, but TWC does not provide representation. **You may call witnesses.** Your employer may also appeal and participate in your hearing.

Keep your mailing address current. We will **mail** you the AT decision. It is important that you **participate in the AT hearing** because the hearing officer makes the decision solely on the testimony given at the hearing. If you cannot participate at the scheduled time, call the hearing officer at the number listed on the hearing notice.

To prepare for your hearing, see **How to Appeal a Decision** at www.texasworkforce.org/uiappeal.

Date and Time. We will mail you and the employer a hearing notice packet with the date and time of your hearing. It will include instructions on submitting additional documents you want to present at the hearing. You must mail or fax copies of the additional documents to the employer and TWC **immediately** after receiving the hearing packet.

Additional Appeals

If you disagree with the AT decision, you may submit a **Commission Appeal (CA)**. The Commission will rule on your case after reviewing the AT decision and listening to the recorded hearing. If you disagree with the CA decision, you may request a **Motion for Rehearing (MR)** within **14 calendar days** of the mailing date of the CA decision. TWC will grant the MR if you can show **all** of these:

- important new information about your case;
- why the information could change the decision; and
- a compelling reason why you did not present the information earlier.

You may also appeal the CA decision to a **civil court** between 15 and 28 days after the date we mailed you the CA decision. You must complete an AT hearing and CA appeal before appealing to a civil court.

For More Information

Go to ui.texasworkforce.org and select **Appeal Status** to view your appeal status, actions taken, appeal history, and more. Read more about **How to appeal a decision** at www.texasworkforce.org/unemploymentbenefits. Access the Internet for free at public libraries and Texas Workforce Solutions offices.